

MAY 11 2005

**FACSIMILE
TRANSMISSION
TO USPTO**

CERTIFICATION OF FACSIMILE TRANSMISSION:

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE
TRANSMITTED TO THE USPTO ON THE DATE SHOWN BELOW:

Date of Transmission: May 11, 2005

Name of Person Making Transmission: Teri McDonald

Signature:

Teri McDonald 5/11/05

DOCUMENT(S) FAXED:

PAGES ATTACHED: 1

Re Applic of	Thomas N. Adam, et al.
Docket No.	FIS920040026US1
Serial No.	10/708,861
Filing Date	3/29/2004
Attorney	Steve Capella

Attached: Election

PLEASE DELIVER TO: Yeanhu B. Huynh
EXAMINER: ART UNIT: 2813
CONFIRMATION NO.: 2860
PHONE NO:
FAX NO: 703-872-9306

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS TO THE RIGHT VIA THE U.S. POSTAL SERVICE.

INTERNATIONAL BUSINESS MACHINES CORPORATION

Intellectual Property Law
East Fishkill Facility
2070 Route 52
Hopewell Junction
New York 12533-6531

Fax: 845-892-6363
Phone: 845-894-2580

I hereby certify that this correspondence is being deposited by FACSIMILE to the Commissioner of Patents, PO Box 1450, Alexandria, VA 22313-1450 on May 11, 2005 by Teri McDonald.

Teri McDonald 5/11/05

RECEIVED
CENTRAL FAX CENTER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE MAY 11 2005

Group Art Unit 2813

In re application of	:	May 11, 2005
Thomas N. Adam et al.	:	Examiner: Yennhu B Huynh
Serial No. : 10/708,861	:	
Filed: March 29, 2004	:	IBM Corporation
Title: VERTICAL DEVICE WITH	:	Dept. 18G/Bldg, 300-482
OPTIMAL TRENCH SHAPE	:	2070 Route 52
	:	Hopewell Junction, NY
	:	12533-6531

Election

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction/election requirement dated May 4, 2005, applicants hereby elect Group I, claims 1-11. This election is made without traverse.

Respectfully submitted,
Thomas N. Adam et al.

By

Steven Capella
Steven Capella, Attorney
Reg. No. 33,086
Telephone: 845-894-3669

FIS920040026US1

Ser. No. 10/708,861

i hereby certify that this correspondence is being deposited by FACSIMILE to the Commissioner of Patents, PO Box 1450, Alexandria, VA 22313-1450 on May 11, 2005 by Teri McDonald.

Teri McDonald 5/11/05

RECEIVED
CENTRAL FAX CENTER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 11 2005

Group Art Unit 2813

In re application of : May 11, 2005
Thomas N. Adam et al. : Examiner: Yennhu B Huynh
Serial No. : 10/708,861 :
Filed: March 29, 2004 : IBM Corporation
Title: VERTICAL DEVICE WITH : Dept. 18G/Bldg, 300-482
OPTIMAL TRENCH SHAPE : 2070 Route 52
: Hopewell Junction, NY
: 12533-6531

Election

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction/election requirement dated May 4, 2005, applicants hereby elect Group I, claims 1-11. This election is made without traverse.

Respectfully submitted,
Thomas N. Adam et al.

By Steven Capella
Steven Capella, Attorney
Reg. No. 33,086
Telephone: 845-894-3669

FIS920040026US1

Ser. No. 10/708,861